**SINGLE BENCH**

P.R. No. 459/05
Presented by Shri M.K. Berg
dated 3/9/05

Page (13)

IN THE HOUNRABLE CHHATTISGARH HIGH COURT OF JUDICATURE AT BILASPUR C.G.

WRIT PETITION- 4368 /2005

PETITIONER : C.R.Nikunj S/o Mangu Ram ,aged About 59 years,presently posted As Devlopment Extention Officer In Janpad Panchayat Pathalgoan Distt. Jashpur C.G.

VERSUS

RESPONDENT

1. State Of Chhattisgarh , Through Its, Principal Secratory,Panchayat DepartmentState Secretariat, Mantralaya Raipur C.G.
2. Collector, Distt.- Jashpur C.G.
3. Sub Divisional Officer,(Civil) ,Jashpur C.G.
4. Tahsildar, Pathalgaon, Distt.-Jashpur . C.G.

EXAMINED COPY
03/9/05

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

The petitioner most respectfully begs to submitted as under:

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**मामला क्रमांक** W.P. 4368 **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | 6.10.2005<br>W.P.No. 4368/2005<br>Shri M.K.Baeg, counsel for the petitioner.<br>Shri Bhaskar Pyasi, Panel Lawyer for the State/respondents on advance copy.<br>Heard.<br>The petitioner by this writ petition, filed under Article 226/227 of the Constitution of India, has challendged the legality of the impugned order dated 30.6.2005(Annexure P-1) passed by the Collector, Jashpur, under the provisions of C.G.Civil Services (Classification, Control and Appeal) Rules, 1966, who imposed certain penality against the petitioner under Rule 10 (1) of the aforesaid rules.<br>Admittedly, this order passed by the Collector in the capacity of disciplinary authority is appellable under Rule 23 of the aforesaid rules, 1966.<br>Since there is an alternative remedy of filing an appeal, learned counsel for the petitioner at this stage, prays for withdrawal of this petition with a liberty to file a duly constituted appeal before the appellate authority. | |

SP/FS/2005 - 20,000

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(22)

**मामला क्रमांक ..... सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश — 2 — | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | This prayer is allowed.<br>The petition is permitted to be withdrawn with a liberty to the petitioner to file departmental appeal before the appellate authority under the aforesaid rules.<br>With the aforesaid observations this petition stands finally disposed of.<br>Certified copy as per rules.<br>Sd/-<br>Sunil Kumar Sinha<br>Judge | |

sunita

28.10.15